

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re Application of: |) | Group Art Unit: 2452 |
| |) | |
| Naoyuki Sato |) | Examiner: Hoang, Hieu T. |
| |) | |
| Application No.: 10/658,631 |) | |
| |) | APPEAL BRIEF |
| Filed: September 8, 2003 |) | |
| |) | |
| For: GENERIC API FOR |) | 162 North Wolfe Road |
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Mail Stop Appeal Brief-Patents
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Sir:

In furtherance of the Applicants' Notice of Appeal filed on February 25, 2009, this Appeal Brief is submitted. This Appeal Brief is submitted in support of the Applicants' Notice of Appeal, and further pursuant to the rejection mailed on October 27, 2008, in which Claims 1-25 were rejected. The Applicants submit this Appeal Brief to the Board of Patent Appeals and Interferences in compliance with the requirements of 37 C.F.R. § 41.37, as stated in *Rules of Practice Before the Board of Patent Appeals and Interferences (Final Rule)*, 69 Fed. Reg. 49959 (August 12, 2004). The Applicants contend that the rejections of Claims 1-25 in this proceeding are in error, were previously overcome and are overcome again by this appeal.

I. REAL PARTIES IN INTEREST

As the assignee of the entire right, title, and interest in the above-captioned patent application, the real parties in interest in this appeal, is:

Sony Corporation, a Japanese corporation
6-7-35 Kitashinagawa, Shinagawa
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Sony Electronics Inc., a corporation of the State of Delaware
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per the assignment document filed on September 8, 2003.

II. RELATED APPEALS AND INTERFERENCES

The Applicants are not aware of any other appeals or interferences related to the present application.

III. STATUS OF THE CLAIMS

Claims 1-25 are involved in the appeal. Claims 1-13, 15-18, and 20-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 2003/0182450 to Ong et al. (hereafter “Ong”, a copy of which is attached as Exhibit A) in view of SyncML Sync Protocol, version 1.0.1, http://www.openmobilealliance.org/tech/affiliates/syncml/syncml_protocol_v101_20010615.pdf to Ericsson et al. (hereafter “Ericsson”, a copy of which is attached as Exhibit B) in further view of U.S. Patent Application Publication No. 2003/0220966 to Hepper et al. (hereafter “Hepper”, a copy of which is attached as Exhibit C). Claims 7, 14, 19 and 25 stand rejected under 35 U.S.C.

§ 103(a) as being unpatentable over Ong in view of Ericsson in view of Hepper and in further view of U.S. Patent Application No. 2003/0014483 to Stevenson et al. (hereafter “Stevenson”, a copy of which is attached as Exhibit D).

IV. STATUS OF THE AMENDMENTS FILED AFTER FINAL REJECTION

No amendments have been filed after the Office Action mailed on October 27, 2008.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The invention disclosed in the present application number 10/658,631 is directed to methods, networks, devices and apparatuses for a generic synchronization application programming interface (API) that provides an interface between synchronization applications and a plurality of synchronization protocols. The generic synchronization API acts as an abstraction layer for the plurality of synchronization protocols. A synchronization application interfaces with the generic synchronization API, and the generic synchronization API interfaces with each individual synchronization protocol. Using the generic synchronization API, an application developer can design a synchronization application which uses a single set of APIs, the generic synchronization API, instead of designing the synchronization application to include multiple sets of APIs, one set for each of the plurality of synchronization protocols.

The elements of Claim 1, directed to one embodiment of the present invention, are described in the Specification at page 5, line 9 to page 8, line 8 and the accompanying figures 1-4. The first device to synchronize data with a second device comprises a memory comprising one or more applications (200), a network layer (230) coupled to interface with the second device, a synchronization layer (220) coupled to the network layer (230) to provide a synchronization protocol between the first device and the second device, and an interface layer (210) coupled to communicate with the one or more applications (200) and the synchronization layer (220) to provide generic synchronization communications between the one or more applications (200) and the synchronization layer (220), wherein the generic synchronization communications between the one or more applications (200) and the interface layer (210) are independent of the synchronization protocol used between the interface layer (210) and the synchronization layer (220).

The elements of Claim 8, directed to one embodiment of the present invention, are described in the Specification at page 5, line 9 to page 8, line 8 and the accompanying figures 1-4. The network comprises one or more network devices, and an application device.

The application device comprises one or more applications (200), a network layer (230) coupled to interface with the one or more network devices, a synchronization layer (220) coupled to the network layer (230) to provide a synchronization protocol between the application device and the one or more network devices, and an interface layer (210) coupled to communicate with the one or more applications (200) and the synchronization layer (220) to provide generic synchronization communications between the one or more applications (200) and the synchronization layer (220), wherein the generic synchronization communications between the one or more applications (200) and the interface layer (210) are independent of any synchronization protocol used between the interface layer (210) and the synchronization layer (220).

The elements of Claim 15, directed to one embodiment of the present invention, are described in the Specification at page 5, line 9 to page 9, line 18 and the accompanying figures 1-4. The method of providing an interface to one or more synchronization applications (200) resident within a first device coupled to a network of devices comprises sending and receiving messages to and from the one or more synchronization applications (200) through an interface layer (210) to one or more synchronization protocol stacks, to synchronize data between the first device and at least one other device within the network of devices, wherein the messages between the one or more synchronization applications (200) and the interface layer (210) are independent of a synchronization protocol used between the interface layer (210) and the synchronization protocol stacks, and generating and receiving communications at the interface layer (210) to complete data synchronization between the first device and the at least one other device within the network of devices.

The elements of Claim 21, directed to one embodiment of the present invention, are described in the Specification at page 5, line 9 to page 8, line 8 and the accompanying figures 1-4. The apparatus for providing an interface to one or more synchronization applications (200) resident within a first device coupled to a network of devices comprises a memory comprising means for sending and receiving messages to and from the one or more synchronization applications (200) through an interface layer (210) to one or more synchronization protocol stacks, to synchronize data between the first device and at least one other device within the network of devices, wherein the messages between the one or more synchronization applications (200) and the interface layer (210) are independent of a synchronization protocol used between

the interface layer (210) and the synchronization protocol stacks, and means for generating and receiving communications at the interface layer (210) to complete data synchronization between the first device and the at least one other device within the network of devices.

Means for sending and receiving messages to and from the one or more synchronization applications is shown in Figures 1-4. The applications 200, the interface layer 210, the synchronization layer 220, and the network layer 230 are preferably resident within each network device implementing the generic synchronization API of the present invention. The interface layer 210 communicates with the applications 200 and the synchronization layer 220 as necessary to provide synchronization communications to and from the applications 200. [Present Specification, page 7, lines 2-7]

Means for generating and receiving communications is shown in Figures 1-4. The synchronization layer 220 is also coupled to a network layer 230 for generating necessary synchronization communications with the PDA 70. The network layer 230 represents a supported protocol stack used in the data synchronization process. [Present Specification, page 6, line 33 to page 7, line 2]

VI. GROUND OF REJECTION AND OTHER MATTERS TO BE REVIEWED ON APPEAL

The following issues are presented in this Appeal Brief for review by the Board of Patent Appeals and Interferences:

1. Whether Claims 1-13, 15-18, and 20-24 are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Ong, in view of Ericsson, in further view of Hepper.
2. Whether Claims 7, 14, 19 and 25 are properly rejected under 35 U.S.C. § 103(a) as being unpatentable over Ong in view of Ericsson in view of Hepper and in further view of Stevenson.

VII. ARGUMENT

Grounds for Rejection

Within the Office Action, Claims 1-13, 15-18, and 20-24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Ong, in view of Ericsson, in further view of Hepper.

Outline of Arguments

In the discussion that follows, the Applicants discuss the teachings of Ong, the teachings of Ericsson, the teachings of Hepper and the teachings of the combination of Ong, Ericsson and Hepper. As will be discussed in detail below, the combination of Ong, Ericsson and Hepper does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications.

1. Ong does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. Ong also does not teach one or more synchronization protocol stacks or a synchronization layer. Further, Ong does not teach wherein messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stack.

Ong teaches a generic infrastructure for converting documents between formats with merge capabilities. The generic conversion framework allows developers to develop custom plug-in conversion algorithms and/or merge algorithms. [Ong, Abstract] Ong also teaches that the framework may provide a generic Application Programming Interface (API), through which one or more of the plug-ins may be plugged into the framework. The plug-in modules for converting, differencing and/or merging documents of various formats may interface with the framework 220 via the API. [Ong, ¶ 0139] Ong further teaches that the framework is configurable to use any of a variety of front-ends, for example, email, HTTP, SyncML, WebDAV, SOAP and ebXML, among others. For example, in one embodiment with an email front-end, a user of a client device may email documents to a particular synchronization implementation based on the framework, which then may email the results (synchronized

documents) back to the client device. [Ong, ¶ 0143] In this example, the “front-end” application is the email application. Inclusion of SyncML and WebDAV as exemplary front-end applications indicates that the front-end application can be a synchronizing application using one of the synchronizing protocols SyncML or WebDAV. In this case, a document is sent from the client device 106 to the server 102 using the synchronization protocol. As such, Ong teaches two different synchronization processes.

The first synchronization process relates to any synchronization application that utilizes the SyncML or WebDAV protocols, which synchronizes data between two devices (the client device 106 and the server 102 in this case). The second synchronization process relates to the synchronization and conversion process which is the subject of the Ong invention and is performed by the framework 220. The second synchronization process performs a conversion, differencing, and merging process between two differently formatted documents. Ong specifically teaches that the first synchronization process is performed by a “front-end” application, SyncML and WebDAV [Ong, ¶0143, lines 2-4], and that the second synchronization process is performed by the framework 220 and corresponding plug-in modules (Ong, ¶0143, lines 5-8). In fact, Ong teaches in ¶0143, lines 5-9 that “[f]or example, in one embodiment with an email front-end, a user of a client device may email documents to a particular synchronization implementation based on the framework 220, which then may email the results (synchronized documents) back to the client.” Two important points are made here. First, Ong makes a distinction between the “email front-end” and the “particular synchronization implementation based on the framework 220.” Substituting the front-end email application with a front-end synchronization application using a synchronization protocol (SyncML or WebDAV), there are two distinct synchronization applications. Second, Ong specifies that the results (synchronized documents) of the synchronization implementation (second synchronization process) are emailed back to the client device. This second aspect confirms the first aspect, that two separate processes are being performed, the second process where the result (synchronized documents) is generated and the first process where the result is emailed back to the server. This substantiates two separate and distinct processes, the second synchronization process and the “front-end” process, which becomes the first synchronization process when the front-end application is a synchronization application.

Within the Office Action of October 27, 2008, it is recognized that Ong does not teach one or more synchronization protocol stacks or a synchronization layer. Further, it is recognized

that Ong does not teach wherein messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stack. [Office Action, page 4] Also, within the Office Action of October 27, 2008, the “generic API” of Ong [Ong, ¶0139] is cited as teaching the claimed interface layer. [Office Action, pages 3, 5, 8 and 10] However, the Ong generic API is an interface between the framework 220 and the plug-in modules for converting, differencing, and merging (plug-ins 210, 214, 212). As described above, “synchronization” performed by the framework 220 and the plug-in modules 210–214 is related to the second synchronization process. Within the Office Action of October 27, 2008, it is contended that Ong teaches synchronization protocols, and the SyncML and WebDAV synchronization protocols of ¶0143, lines 1-5 in Ong are cited. However, as discussed in detail above, these synchronization protocols are related to the first synchronization process, and therefore do not provide a communications means for the “generic API”, which provides communications within the second synchronization process. In other words, the “generic API” of Ong is configured to communicate with the cited office applications and the plug-in modules as part of the second synchronization process. There is no hint, teaching, or suggestion within Ong that indicates the “generic API” is configured to communicate between the office applications and the synchronization protocols (front-end applications) as part of the first synchronization process.

In contrast with the “generic API” of Ong, the presently claimed invention teaches a generic API or interface layer that is referring to a single API that is capable of communicating to multiple different synchronization protocols (a synchronization protocol stack). The generic API of the presently claimed invention is not comprised of multiple APIs that need to be called individually, instead the present invention teaches a single generic API that all communications from the application can be directed to utilizing the same format regardless of the desired synchronization protocol. Further in contrast to the teachings of Ong, the “generic API” of the presently claimed invention provides an interface between synchronization applications and a plurality of synchronization protocols (which can form a protocol stack). The generic synchronization API acts as an abstraction layer for the plurality of synchronization protocols. A synchronization application interfaces with the generic synchronization API in a manner independent of the specific synchronization protocol, and the generic synchronization API interfaces with each individual synchronization protocol. Unlike the presently claimed invention,

Ong does not teach a generic API or interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications.

2. Ericsson does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. Ericsson also does not teach wherein messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stack.

Ericsson is directed to defining synchronization protocol between a SyncML client and a server in the form of message sequence charts. Specifically, Ericsson teaches how to use the SyncML representation protocol so that the interoperating SyncML client and server solutions are accomplished. [Ericsson, Abstract] However, as recognized within the Office Action of October 27, 2008, Ericsson does not teach wherein messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stack. [Office Action, page 4] Further, Ericsson does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. As described above, Ericsson is directed to synchronization protocol, not an interface layer. Accordingly, nowhere in Ericsson is any interface layer taught, much less an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. Indeed, Ericsson is only cited for teaching a synchronization layer which consists of synchronization protocols. Thus, Ericsson does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications.

3. Hepper does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications.

Hepper is directed to a system and method for dynamic content dependent conflict resolution. Specifically, Hepper teaches a synchronization framework which is functionally separated from the synchronization engine and which provides a common interface to an extendible set of synchronization modules providing different conflict detection and resolution strategies as well as different content adaptations. [Hepper, Abstract] However, Hepper does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. Hepper is only cited for teaching messages that are independent of the synchronization protocol. Indeed, nowhere in Hepper is it taught that an interface layer is coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. Thus, Hepper does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications.

4. The combination of Ong, Ericsson and Hepper does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications.

As described above, neither Ong, Ericsson nor Hepper teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. Therefore, the combination of Ong, Ericsson and Hepper also does not teach an interface layer coupled to communicate with one or more applications and a synchronization layer to provide generic synchronization communications. In contrast to the teachings of Ong, Ericsson, Hepper and their combination, the generic API of the presently claimed invention provides an interface between synchronization applications and a plurality of synchronization protocols. The generic synchronization API acts as an abstraction layer for the plurality of synchronization protocols. A synchronization application interfaces with the generic synchronization API in a manner independent of the specific synchronization protocol, and the

generic synchronization API interfaces with each individual synchronization protocol. As described above, neither Ong, Ericsson, Hepper, nor their combination teach a generic API configured to communicate with one or more applications and a synchronization layer.

5. The claims distinguish over Ong, Ericsson, Hepper and their combination.

The claims are grouped separately below to indicate that they do not stand or fall together.

a. Claims 1-7

The independent Claim 1 is directed to a first device to synchronize data with a second device. The first device of Claim 1 comprises a memory comprising one or more applications, a network layer coupled to interface with the second device, a synchronization layer coupled to the network layer to provide a synchronization protocol between the first device and the second device, and an interface layer coupled to communicate with the one or more applications and the synchronization layer to provide generic synchronization communications between the one or more applications and the synchronization layer, wherein the generic synchronization communications between the one or more applications and the interface layer are independent of the synchronization protocol used between the interface layer and the synchronization layer. As discussed above, neither Ong, Ericsson, Hepper, nor their combination teach a generic API configured to communicate with one or more applications and a synchronization layer. For at least these reasons, the independent Claim 1 is allowable over the teachings of Ong, Ericsson, Hepper and their combination.

Claims 2-7 are dependent upon the independent Claim 1. As discussed above, the independent Claim 1 is allowable over the teachings of Ong, Ericsson, Hepper and their combination. Accordingly, Claims 2-7 are all also allowable as being dependent upon an allowable base claim.

b. Claims 8-13

The independent Claim 8 is directed to a network. The network of Claim 8 comprises one or more network devices, and an application device. The application device of Claim 8 comprises one or more applications, a network layer coupled to interface with the one or more network devices, a synchronization layer coupled to the network layer to provide a synchronization protocol between the application device and the one or more network devices, and an interface layer coupled to communicate with the one or more applications and the synchronization layer to provide generic synchronization communications between the one or more applications and the synchronization layer, wherein the generic synchronization communications between the one or more applications and the interface layer are independent of any synchronization protocol used between the interface layer and the synchronization layer. As discussed above, neither Ong, Ericsson, Hepper, nor their combination teach a generic API configured to communicate with one or more applications and a synchronization layer. For at least these reasons, the independent Claim 8 is allowable over the teachings of Ong, Ericsson, Hepper and their combination.

Claims 9-13 are dependent upon the independent Claim 8. As discussed above, the independent Claim 8 is allowable over the teachings of Ong, Ericsson, Hepper and their combination. Accordingly, Claims 9-13 are all also allowable as being dependent upon an allowable base claim.

c. Claims 15, 16-18 and 20

The independent Claim 15 is directed to a method of providing an interface to one or more synchronization applications resident within a first device coupled to a network of devices. The method of Claim 15 comprises sending and receiving messages to and from the one or more synchronization applications through an interface layer to one or more synchronization protocol stacks, to synchronize data between the first device and at least one other device within the network of devices, wherein the messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stacks, and generating and receiving communications at

the interface layer to complete data synchronization between the first device and the at least one other device within the network of devices. As discussed above, neither Ong, Ericsson, Hepper, nor their combination teach a generic API configured to communicate with one or more applications and a synchronization layer. For at least these reasons, the independent Claim 15 is allowable over the teachings of Ong, Ericsson, Hepper and their combination.

Claims 16-18 and 20 are dependent upon the independent Claim 15. As discussed above, the independent Claim 15 is allowable over the teachings of Ong, Ericsson, Hepper and their combination. Accordingly, Claims 16-18 and 20 are all also allowable as being dependent upon an allowable base claim.

d. Claims 21-24

The independent Claim 21 is directed to an apparatus for providing an interface to one or more synchronization applications resident within a first device coupled to a network of devices. The apparatus of Claim 21 comprises a memory comprising means for sending and receiving messages to and from the one or more synchronization applications through an interface layer to one or more synchronization protocol stacks, to synchronize data between the first device and at least one other device within the network of devices, wherein the messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stacks, and means for generating and receiving communications at the interface layer to complete data synchronization between the first device and the at least one other device within the network of devices. As discussed above, neither Ong, Ericsson, Hepper, nor their combination teach a generic API configured to communicate with one or more applications and a synchronization layer. For at least these reasons, the independent Claim 21 is allowable over the teachings of Ong, Ericsson, Hepper and their combination.

Claims 22-24 are dependent upon the independent Claim 21. As discussed above, the independent Claim 21 is allowable over the teachings of Ong, Ericsson, Hepper and their combination. Accordingly, Claims 22-24 are all also allowable as being dependent upon an allowable base claim.

Grounds for Rejection

Within the final Office Action, Claims 7, 14, 19 and 25 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ong in view of Ericsson in view of Hepper and in further view of Stevenson.

Arguments

Claims 7, 14, 19 and 25 are dependent on the independent Claims 1, 8, 15 and 21, respectively. As described above, the independent Claims 1, 8, 15 and 21 are all allowable over Ong, Ericsson, Hepper and their combination. Accordingly, Claims 7, 14, 19 and 25 are all also allowable as being dependent upon an allowable base claim. Accordingly, Claims 3, 10 and 12 are all also allowable as being dependent on an allowable base claim.

6. CONCLUSION

For the above reasons, it is respectfully submitted that the Claims 1-25 are allowable over the cited prior art references. Therefore, a favorable indication is respectfully requested.

Respectfully submitted,
HAVERSTOCK & OWENS LLP

Dated: April 3, 2009

By: /Jonathan O. Owens/

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VIII. CLAIMS APPENDIX

This appendix includes a list of the claims under appeal.

1. A first device to synchronize data with a second device, the first device comprising:
 - a. a memory comprising:
 - i. one or more applications;
 - ii. a network layer coupled to interface with the second device;
 - iii. a synchronization layer coupled to the network layer to provide a synchronization protocol between the first device and the second device; and
 - iv. an interface layer coupled to communicate with the one or more applications and the synchronization layer to provide generic synchronization communications between the one or more applications and the synchronization layer, wherein the generic synchronization communications between the one or more applications and the interface layer are independent of the synchronization protocol used between the interface layer and the synchronization layer.
2. The first device of claim 1 wherein at least one of the one or more applications comprises a synchronization application.
3. The first device of claim 2 wherein the synchronization application is selected from a group consisting of Personal Information Manager (PIM) sync, contents distribution, and contents upload.
4. The first device of claim 1 wherein the interface layer is an application programming interface (API).

5. The first device of claim 1 wherein the interface layer is protocol independent.
6. The first device of claim 1 wherein synchronization layer comprises a synchronization protocol stack.
7. The first device of claim 5 wherein the synchronization protocol stack is selected from a group consisting of SyncML, Information Content Exchange (ICE), and Web Distributed Authoring and Versioning (WebDAV).
8. A network comprising:
 - a. one or more network devices; and
 - b. an application device comprising:
 - i. one or more applications;
 - ii. a network layer coupled to interface with the one or more network devices;
 - iii. a synchronization layer coupled to the network layer to provide a synchronization protocol between the application device and the one or more network devices; and
 - iv. an interface layer coupled to communicate with the one or more applications and the synchronization layer to provide generic synchronization communications between the one or more applications and the synchronization layer, wherein the generic synchronization communications between the one or more applications and the interface layer are independent of any synchronization protocol used between the interface layer and the synchronization layer.
9. The network of claim 8 wherein at least one of the one or more applications comprises a synchronization application.

10. The network of claim 9 wherein the synchronization application is selected from a group consisting of Personal Information Manager (PIM) sync, contents distribution, and contents upload.
11. The network of claim 8 wherein the interface layer is an application programming interface (API).
12. The network of claim 8 wherein the interface layer is protocol independent.
13. The network of claim 8 wherein synchronization layer comprises a synchronization protocol stack.
14. The network of claim 13 wherein the synchronization protocol stack is selected from a group consisting of SyncML, Information Content Exchange (ICE), and Web Distributed Authoring and Versioning (WebDAV).
15. A method of providing an interface to one or more synchronization applications resident within a first device coupled to a network of devices, the method comprising:
 - a. sending and receiving messages to and from the one or more synchronization applications through an interface layer to one or more synchronization protocol stacks, to synchronize data between the first device and at least one other device within the network of devices, wherein the messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stacks; and
 - b. generating and receiving communications at the interface layer to complete data synchronization between the first device and the at least one other device within the network of devices.

16. The method of claim 15 wherein the one or more synchronization applications are selected from a group consisting of Personal Information Manager (PIM) sync, contents distribution, and contents upload.
17. The method of claim 15 wherein the interface layer is an application programming interface (API).
18. The method of claim 15 wherein the interface layer is protocol independent.
19. The method of claim 15 wherein the one or more synchronization protocol stacks are selected from a group consisting of SyncML, Information Content Exchange (ICE), and Web Distributed Authoring and Versioning (WebDAV).
20. The method of claim 15 wherein communications generated at the interface layer are sent to a network layer via the one or more synchronization protocol stacks within the first device, and communications received at the interface layer are received from the one or more synchronization protocol stacks via the network layer.
21. An apparatus for providing an interface to one or more synchronization applications resident within a first device coupled to a network of devices, the apparatus comprising:
 - a. a memory comprising:
 - i. means for sending and receiving messages to and from the one or more synchronization applications through an interface layer to one or more synchronization protocol stacks, to synchronize data between the first device and at least one other device within the network of devices, wherein the messages between the one or more synchronization applications and the interface layer are independent of a synchronization protocol used between the interface layer and the synchronization protocol stacks; and

- ii. means for generating and receiving communications at the interface layer to complete data synchronization between the first device and the at least one other device within the network of devices.
-
- 22. The apparatus of claim 21 wherein the synchronization application is selected from a group consisting of Personal Information Manager (PIM) sync, contents distribution, and contents upload.
 - 23. The apparatus of claim 21 wherein the interface layer is an application programming interface (API).
 - 24. The apparatus of claim 21 wherein the interface layer is protocol independent.
 - 25. The apparatus of claim 21 wherein the synchronization protocol stack is selected from a group consisting of SyncML, Information Content Exchange (ICE), and Web Distributed Authoring and Versioning (WebDAV).

IX. EVIDENCE APPENDIX

STATEMENT

Pursuant to 37 C.F.R. § 41.37(c)(1)(ix), the following is a statement setting forth where in the record the evidence of this appendix was entered by the examiner:

| Evidence Description: | Where Entered: |
|--|---------------------------------------|
| U.S. Patent Application Publication No. 2003/0182450 | Office Action mailed May 4, 2007 |
| SyncML Sync Protocol, version 1.0.1, http://www.openmobilealliance.org/tech/affiliates/syncml/syncml_protocol_v101_20010615.pdf | Office Action mailed May 4, 2007 |
| U.S. Patent Application No. 2003/0014483 | Office Action mailed May 4, 2007 |
| U.S. Patent Application Publication No. 2003/0220966 | Office Action mailed October 27, 2008 |
| Office Action October 27, 2008 | Examiner Office Action |

X. RELATED PROCEEDINGS APPENDIX

There are no related proceedings.